

Order

Michigan Supreme Court
Lansing, Michigan

December 13, 2007

133847

In re Estate of JAMES W. MILTENBERGER,
Deceased.

Clifford W. Taylor,
Chief Justice

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

SUSAN EIFLER, Personal Representative
of the Estate of James W. Miltenberger,
Deceased,

Appellee,

and

SHARON MILTENBERGER,
Petitioner-Appellee,

v

SC: 133847
COA: 270716
Calhoun Probate Ct:
2004-000287-DE

SANDRA SWARTZ,
Respondent-Appellant.

On order of the Court, the application for leave to appeal the March 27, 2007 judgment of the Court of Appeals is considered, and it is GRANTED. The parties are to discuss whether the dower election in MCL 700.2202(2)(c), as defined in MCL 558.1, violates the Equal Protection Clauses of the Michigan and federal constitutions as set forth in Const 1963, art 1, § 2 and the Fourteenth Amendment to the United States Constitution.

The Clerk of the Court is directed to place this case on the April 2008 session calendar for argument and submission. Appellants' brief and appendix must be filed no later than January 28, 2008, and appellees' brief and appendix, if appellees choose to submit an appendix, must be filed no later than February 21, 2008.

Persons or groups interested in the determination of the issues presented in this case may move the Court for permission to file briefs amicus curiae, to be filed no later than March 6, 2008.



t1213

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

December 13, 2007

Corbin R. Davis

Clerk

